

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

KATHLEEN PAINE, as Guardian of the
Estate of CHRISTINA ROSE EILMAN,
a Disabled Person,

Plaintiff,

v.

OFFICER RICHARD CASON, et al.

Defendants.

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Case No. 06 C 3173

Judge Virginia M. Kendall

Magistrate Judge Valdez

**PLAINTIFF'S RESPONSE IN OPPOSITION TO THE
DEFENDANT CITY OF CHICAGO'S MOTION FOR
SUMMARY JUDGMENT AS TO COUNT XXXIX, THE ADA COUNT**

Plaintiff, Kathleen Paine, as Guardian of the Estate of Christina Rose Eilman ("Plaintiff"), by her attorneys, Segal McCambridge Singer & Mahoney, Ltd., hereby responds in opposition to Defendant City of Chicago's Motion for Summary Judgment as to Count XXXIX. In support, Plaintiff states that there are genuine issues of material facts that warrant denial of the City's summary judgment with respect to Plaintiff's ADA claim.

Plaintiff incorporates the following documents with this response in opposition to Defendant City of Chicago's Motion for Summary Judgment as to Count XXXIX: Plaintiff's Memorandum of Law filed in conjunction with this response; Plaintiff's Local Rule 56.1(b)(3)(c) Statement of Additional Facts that Require Denial of the Defendant, City of Chicago's Motion for Summary Judgment; and Plaintiffs Response to Defendant City of Chicago's Local Rule 56.1(a)(3) Statements of Facts in Support of it Motion for Summary Judgment.

Respectfully submitted,

KATHLEEN PAINE, as Guardian of the Estate of
CHRISTINA ROSE EILMAN, a Disabled Person

By: /s/ Misty Martin
One of Her Attorneys

Jeffrey Singer, Esq. (ARDC #02620510)
Misty R. Martin, Esq. (ARDC #6284999)
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CERTIFICATE OF SERVICE

I, Misty R. Martin, depose and state that I served a copy of the foregoing Plaintiff's Response in Opposition to the Defendant City of Chicago's Motion for Summary Judgment as to Count XXXIX, the ADA Count, upon the named parties listed below via ECF notification on the 16th day of November, 2009.

Matthew Hurd, Esquire
Assistant Corporation Counsel
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By: /s/ Misty Martin
Misty Martin

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